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Attorney for Defendant
Dametric Marcel McGrue

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 1:05-cr-00120 OWW
)	
<i>Plaintiff,</i>)	STIPULATION TO CONTINUE STATUS
)	CONFERENCE AND SET MOTION BRIEFING
v.)	SCHEDULE; AND ORDER THEREON
)	
DAMETRIC MARCEL McGRUE,)	Date: October 11, 2005
)	Time: 1:30 p.m.
<i>Defendant.</i>)	Judge: Honorable Oliver W. Wanger
)	
_____)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, VIRNA L. SANTOS, Assistant United States Attorney, counsel for Plaintiff, and ERIC V. KERSTEN, Assistant Federal Defender, counsel for Defendant Dametric Marcel McGrue, that the date for status conference in this matter may be continued to October 11, 2005. It is also requested that a new motion briefing schedule be ordered. It is requested that any additional motions may be filed by September 19, 2005; that any response or opposition may be filed by October 3, 2005; and that status conference and hearing on the motions may be set for October 11, 2005. **The date currently set for status conference is September 6, 2005. The requested new date is October 11, 2005.**

The reason for this request is that the defense needs time to investigate an additional issue prior to filing a motion to suppress in this matter.

The parties agree that the delay resulting from the continuance shall be excluded as necessary for effective defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv), and for the filing of pretrial

1 motions and ruling thereon pursuant to 18 U.S.C. §§ 3161(h)(1)(F).

2 McGREGOR W. SCOTT
3 United States Attorney

4 DATED: August 30, 2005

By /s/ Virna L. Santos
5 VIRNA L. SANTOS
6 Assistant United States Attorney
7 Attorney for Plaintiff

8 QUIN DENVIR
9 Federal Public Defender

10 DATED: August 30, 2005

By /s/ Eric V. Kersten
11 ERIC V. KERSTEN
12 Assistant Federal Defender
13 Attorney for Defendant
14 Dametric Marcel McGrue

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16 O R D E R

17 **IT IS SO ORDERED.** The intervening period of delay is excluded in the interests of justice
18 pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv).

19 DATED: August __31__, 2005

20 /s/ OLIVER W. WANGER
21 OLIVER W. WANGER, Judge
22 United States District Court
23 Eastern District of California
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